

22.03.2023
tkm/ct 28
sl no. 52

C.R.M. (DB) 302 of 2023

In Re : An application under section 439(2) of the Code of Criminal Procedure

And

In Re : Sutapa Bera @ Sutapa Mondal Bera petitioner

Mr. T Dsgupta

Mr. Asit Nayek

..... for the petitioner

Mr. Joydeep Roy

Ms. Sujata Das

..... for the State

We have perused the order granting bail to opposite party no.

2. He is the father-in-law of the petitioner.

It is contended another criminal case has been registered against opposite party no. 2. He is threatening the petitioner.

General diary has been lodged. his bail may be cancelled.

We have considered the materials on record. Present case arose out of a matrimonial dispute. After detention for 20 days, opposite party no. 2 was enlarged on bail. Though a subsequent case was registered against him, he has been released on bail in that case too. Plea of misuse of liberty as appearing from the allegations in the letter of complaint annexed at page 25 of the petition appears to be vague and non-specific. Hence, we are not inclined to interfere with the order granting bail.

However, to instil confidence in the mind of the petitioner we direct opposite party no. 2 to meet Officer-in-Charge, Uluberia Women PS once in a week until further orders.

As opposite party no. 2 is unrepresented by his lawyer, we direct Officer-in-Charge, Uluberia Women PS to communicate this

order to the said opposite party no. 2 within a fortnight from date. Opposite party no. 2 shall comply with the modified conditions of bail on and from the date of such communication.

With these directions application for cancellation of bail is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)